

## SENATE BILL No. 275

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1; IC 25-11.5.

**Synopsis:** Court reporter licensing. Establishes the court reporter board (board). Sets qualifications for a licensed court reporter. Requires the board to develop procedures for licensing court reporters.

**Effective:** July 1, 2010.

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**Taylor**

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January 11, 2010, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

## SENATE BILL No. 275

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 25-1-2-2.1, AS AMENDED BY P.L.177-2009,  
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2010]: Sec. 2.1. Rather than being issued annually, the  
4 following permits, licenses, certificates of registration, or evidences of  
5 authority granted by a state agency must be issued for a period of two  
6 (2) years or for the period specified in the article under which the  
7 permit, license, certificate of registration, or evidence of authority is  
8 issued if the period specified in the article is longer than two (2) years:  
9 (1) Certified public accountants, public accountants, and  
10 accounting practitioners.  
11 (2) Architects and landscape architects.  
12 (3) Dry cleaners.  
13 (4) Professional engineers.  
14 (5) Land surveyors.  
15 (6) Real estate brokers.  
16 (7) Real estate agents.  
17 (8) Security dealers' licenses issued by the securities



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- commissioner.
- (9) Dental hygienists.
- (10) Dentists.
- (11) Veterinarians.
- (12) Physicians.
- (13) Chiropractors.
- (14) Physical therapists.
- (15) Optometrists.
- (16) Pharmacists and assistants, drugstores or pharmacies.
- (17) Motels and mobile home community licenses.
- (18) Nurses.
- (19) Podiatrists.
- (20) Occupational therapists and occupational therapy assistants.
- (21) Respiratory care practitioners.
- (22) Social workers, marriage and family therapists, and mental health counselors.
- (23) Real estate appraiser licenses and certificates issued by the real estate appraiser licensure and certification board.
- (24) Wholesale legend drug distributors.
- (25) Physician assistants.
- (26) Dietitians.
- (27) Hypnotists.
- (28) Athlete agents.
- (29) Manufactured home installers.
- (30) Home inspectors.
- (31) Massage therapists.
- (32) Interior designers.
- (33) Genetic counselors.
- (34) Court reporters.**

SECTION 2. IC 25-1-2-6, AS AMENDED BY P.L.122-2009, SECTION 1, AND AS AMENDED BY P.L.160-2009, SECTION 4, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 6. (a) As used in this section, "license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

- (1) Indiana board of accountancy.
- (2) Indiana grain buyers and warehouse licensing agency.

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- 1 (3) Indiana auctioneer commission.
- 2 (4) Board of registration for architects and landscape architects.
- 3 (5) State board of barber examiners.
- 4 (6) State board of cosmetology examiners.
- 5 (7) Medical licensing board of Indiana.
- 6 (8) Secretary of state.
- 7 (9) State board of dentistry.
- 8 (10) State board of funeral and cemetery service.
- 9 (11) Worker's compensation board of Indiana.
- 10 (12) Indiana state board of health facility administrators.
- 11 (13) Committee of hearing aid dealer examiners.
- 12 (14) Indiana state board of nursing.
- 13 (15) Indiana optometry board.
- 14 (16) Indiana board of pharmacy.
- 15 (17) Indiana plumbing commission.
- 16 (18) Board of podiatric medicine.
- 17 (19) Private investigator and security guard licensing board.
- 18 (20) State board of registration for professional engineers.
- 19 (21) Board of environmental health specialists.
- 20 (22) State psychology board.
- 21 (23) Indiana real estate commission.
- 22 (24) Speech-language pathology and audiology board.
- 23 (25) Department of natural resources.
- 24 (26) State ~~boxing~~ athletic commission.
- 25 (27) Board of chiropractic examiners.
- 26 (28) Mining board.
- 27 (29) Indiana board of veterinary medical examiners.
- 28 (30) State department of health.
- 29 (31) Indiana physical therapy committee.
- 30 (32) Respiratory care committee.
- 31 (33) Occupational therapy committee.
- 32 (34) *Social worker, marriage and family therapist, and mental*
- 33 *health counselor Behavioral health and human services licensing*
- 34 *board.*
- 35 (35) Real estate appraiser licensure and certification board.
- 36 (36) State board of registration for land surveyors.
- 37 (37) Physician assistant committee.
- 38 (38) Indiana dietitians certification board.
- 39 (39) Indiana hypnotist committee.
- 40 (40) Attorney general (only for the regulation of athlete agents).
- 41 (41) Manufactured home installer licensing board.
- 42 (42) Home inspectors licensing board.

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(43) State board of massage therapy.

**(44) Court reporter board.**

~~(44)~~ **(45)** Any other occupational or professional agency created after June 30, 1981.

(c) Notwithstanding any other law, the entities included in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.122-2009, SECTION 2, AND AS AMENDED BY P.L.160-2009, SECTION 5, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 0.3. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- (5) State board of barber examiners (IC 25-7-5-1).
- ~~(6) State boxing commission (IC 25-9-1).~~
- ~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).
- ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
- ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
- ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(11)~~ (10) State board of registration for professional engineers (IC 25-31-1-3).
- ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
- ~~(13)~~ (12) State board of funeral and cemetery service (IC 25-15-9).
- ~~(14)~~ (13) Indiana state board of health facility administrators (IC 25-19-1).
- ~~(15)~~ (14) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- ~~(16)~~ (15) Home inspectors licensing board (IC 25-20.2-3-1).
- ~~(17)~~ (16) Indiana hypnotist committee (IC 25-20.5-1-7).
- ~~(18)~~ (17) State board of registration for land surveyors (IC 25-21.5-2-1).

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- ~~(19)~~ (18) Manufactured home installer licensing board (IC 25-23.7).
- ~~(20)~~ (19) Medical licensing board of Indiana (IC 25-22.5-2).
- ~~(21)~~ (20) Indiana state board of nursing (IC 25-23-1).
- ~~(22)~~ (21) Occupational therapy committee (IC 25-23.5).
- ~~(23)~~ (22) Indiana optometry board (IC 25-24).
- ~~(24)~~ (23) Indiana board of pharmacy (IC 25-26).
- ~~(25)~~ (24) Indiana physical therapy committee (IC 25-27-1).
- ~~(26)~~ (25) Physician assistant committee (IC 25-27.5).
- ~~(27)~~ (26) Indiana plumbing commission (IC 25-28.5-1-3).
- ~~(28)~~ (27) Board of podiatric medicine (IC 25-29-2-1).
- ~~(29)~~ (28) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- ~~(30)~~ (29) State psychology board (IC 25-33).
- ~~(31)~~ (30) Indiana real estate commission (IC 25-34.1-2).
- ~~(32)~~ (31) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- ~~(33)~~ (32) Respiratory care committee (IC 25-34.5).
- ~~(34)~~ (33) *Social worker, marriage and family therapist, and mental health counselor Behavioral health and human services licensing board* (IC 25-23.6).
- ~~(35)~~ (34) Speech-language pathology and audiology board (IC 25-35.6-2).
- ~~(36)~~ (35) Indiana board of veterinary medical examiners (IC 25-38.1-2).

**(36) Court reporter board (IC 25-11.5-2-1).**

SECTION 4. IC 25-1-7-1, AS AMENDED BY P.L.1-2009, SECTION 138, AS AMENDED BY P.L.122-2009, SECTION 5, AND AS AMENDED BY P.L.160-2009, SECTION 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability

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company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State ~~boxing~~ athletic commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dentistry (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15-9).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Indiana state board of nursing (IC 25-23-1).
- (14) Indiana optometry board (IC 25-24).
- (15) Indiana board of pharmacy (IC 25-26).
- (16) Indiana plumbing commission (IC 25-28.5-1-3).
- (17) Board of podiatric medicine (IC 25-29-2-1).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2).
- (22) Indiana board of veterinary medical examiners (IC 25-38.1).
- (23) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- (24) Respiratory care committee (IC 25-34.5).
- (25) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- (26) Occupational therapy committee (IC 25-23.5).
- (27) *Social worker, marriage and family therapist, and mental health counselor Behavioral health and human services licensing board* (IC 25-23.6).
- (28) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (29) State board of registration for land surveyors (IC 25-21.5-2-1).

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- (30) Physician assistant committee (IC 25-27.5).
- (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- (34) Indiana physical therapy committee (IC 25-27).
- (35) Manufactured home installer licensing board (IC 25-23.7).
- (36) Home inspectors licensing board (IC 25-20.2-3-1).
- (37) State department of health, for out-of-state mobile health care entities.
- (38) State board of massage therapy (IC 25-21.8-2-1).
- (39) Court reporter board (IC 25-11.5-2-1).**
- ~~(39)~~ **(40)** Any other occupational or professional agency created after June 30, 1981.

SECTION 5. IC 25-1-8-1, AS AMENDED BY P.L.122-2009, SECTION 6, AND AS AMENDED BY P.L.160-2009, SECTION 8, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State ~~boxing~~ athletic commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dentistry (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).
- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).

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- (21) Indiana real estate commission (IC 25-34.1-2-1).  
 (22) Indiana board of veterinary medical examiners (IC 25-38.1-2-1).  
 (23) Department of insurance (IC 27-1).  
 (24) State police department (IC 10-11-2-4), for purposes of certifying polygraph examiners under IC 25-30-2.  
 (25) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.  
 (26) Private investigator and security guard licensing board (IC 25-30-1-5.2).  
 (27) Occupational therapy committee (IC 25-23.5-2-1).  
 (28) *Social worker, marriage and family therapist, and mental health counselor Behavioral health and human services licensing board* (IC 25-23.6-2-1).  
 (29) Real estate appraiser licensure and certification board (IC 25-34.1-8).  
 (30) State board of registration for land surveyors (IC 25-21.5-2-1).  
 (31) Physician assistant committee (IC 25-27.5).  
 (32) Indiana athletic trainers board (IC 25-5.1-2-1).  
 (33) Board of podiatric medicine (IC 25-29-2-1).  
 (34) Indiana dietitians certification board (IC 25-14.5-2-1).  
 (35) Indiana physical therapy committee (IC 25-27).  
 (36) Manufactured home installer licensing board (IC 25-23.7).  
 (37) Home inspectors licensing board (IC 25-20.2-3-1).  
 (38) State board of massage therapy (IC 25-21.8-2-1).  
**(39) Court reporter board (IC 25-11.5-2-1).**  
~~(39)~~ **(40)** Any other occupational or professional agency created after June 30, 1981.

SECTION 6. IC 25-1-8-6, AS AMENDED BY P.L.122-2009, SECTION 7, AND AS AMENDED BY P.L.160-2009, SECTION 9, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 6. (a) As used in this section, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 (2) Board of registration for architects and landscape architects (IC 25-4-1-2).  
 (3) Indiana athletic trainers board (IC 25-5.1-2-1).  
 (4) Indiana auctioneer commission (IC 25-6.1-2-1).  
 (5) State board of barber examiners (IC 25-7-5-1).  
~~(6) State boxing commission (IC 25-9-1).~~  
~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).

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- 1 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
- 2 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
- 3 ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
- 4 ~~(11)~~ (10) State board of registration for professional engineers
- 5 (IC 25-31-1-3).
- 6 ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
- 7 ~~(13)~~ (12) State board of funeral and cemetery service
- 8 (IC 25-15-9).
- 9 ~~(14)~~ (13) Indiana state board of health facility administrators
- 10 (IC 25-19-1).
- 11 ~~(15)~~ (14) Committee of hearing aid dealer examiners
- 12 (IC 25-20-1-1.5).
- 13 ~~(16)~~ (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 14 ~~(17)~~ (16) Indiana hypnotist committee (IC 25-20.5-1-7).
- 15 ~~(18)~~ (17) State board of registration for land surveyors
- 16 (IC 25-21.5-2-1).
- 17 ~~(19)~~ (18) Manufactured home installer licensing board
- 18 (IC 25-23.7).
- 19 ~~(20)~~ (19) Medical licensing board of Indiana (IC 25-22.5-2).
- 20 ~~(21)~~ (20) Indiana state board of nursing (IC 25-23-1).
- 21 ~~(22)~~ (21) Occupational therapy committee (IC 25-23.5).
- 22 ~~(23)~~ (22) Indiana optometry board (IC 25-24).
- 23 ~~(24)~~ (23) Indiana board of pharmacy (IC 25-26).
- 24 ~~(25)~~ (24) Indiana physical therapy committee (IC 25-27).
- 25 ~~(26)~~ (25) Physician assistant committee (IC 25-27.5).
- 26 ~~(27)~~ (26) Indiana plumbing commission (IC 25-28.5-1-3).
- 27 ~~(28)~~ (27) Board of podiatric medicine (IC 25-29-2-1).
- 28 ~~(29)~~ (28) Private investigator and security guard licensing board
- 29 (IC 25-30-1-5.2).
- 30 ~~(30)~~ (29) State psychology board (IC 25-33).
- 31 ~~(31)~~ (30) Indiana real estate commission (IC 25-34.1-2).
- 32 ~~(32)~~ (31) Real estate appraiser licensure and certification board
- 33 (IC 25-34.1-8).
- 34 ~~(33)~~ (32) Respiratory care committee (IC 25-34.5).
- 35 ~~(34)~~ (33) *Social worker, marriage and family therapist, and*
- 36 *mental health counselor Behavioral health and human services*
- 37 *licensing board* (IC 25-23.6).
- 38 ~~(35)~~ (34) Speech-language pathology and audiology board
- 39 (IC 25-35.6-2).
- 40 ~~(36)~~ (35) Indiana board of veterinary medical examiners
- 41 (IC 25-38.1).
- 42 ~~(37)~~ (36) State board of massage therapy (IC 25-21.8-2-1).

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**(37) Court reporter board (IC 25-11.5-2-1).**

(b) This section does not apply to a license, certificate, or registration that has been revoked or suspended.

(c) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, the holder of a license, certificate, or registration that was issued by the board that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee established by the Indiana professional licensing agency.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee equal to the current initial application fee.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under

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1 IC 25-1-4-5 and IC 25-1-4-6.

2 (5) Complete such remediation and additional training as deemed  
3 appropriate by the board given the lapse of time involved.

4 (6) Any other requirement that is provided for in statute or rule  
5 that is not related to fees.

6 SECTION 7. IC 25-1-11-1, AS AMENDED BY P.L.160-2009,  
7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2010]: Sec. 1. As used in this chapter, "board" means any of  
9 the following:

- 10 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 11 (2) Board of registration for architects and landscape architects  
12 (IC 25-4-1-2).
- 13 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 14 (4) State board of barber examiners (IC 25-7-5-1).
- 15 (5) State athletic commission (IC 25-9-1).
- 16 (6) State board of cosmetology examiners (IC 25-8-3-1).
- 17 (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- 18 (8) State board of funeral and cemetery service (IC 25-15-9).
- 19 (9) State board of registration for professional engineers  
20 (IC 25-31-1-3).
- 21 (10) Indiana plumbing commission (IC 25-28.5-1-3).
- 22 (11) Indiana real estate commission (IC 25-34.1-2-1).
- 23 (12) Real estate appraiser licensure and certification board  
24 (IC 25-34.1-8).
- 25 (13) Private investigator and security guard licensing board  
26 (IC 25-30-1-5.2).
- 27 (14) Manufactured home installer licensing board (IC 25-23.7).
- 28 (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 29 (16) State board of massage therapy (IC 25-21.8-2-1).

30 **(17) Court reporter board (IC 25-11.5-2-1).**

31 SECTION 8. IC 25-11.5 IS ADDED TO THE INDIANA CODE AS  
32 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
33 2010]:

#### 34 **ARTICLE 11.5. COURT REPORTERS**

##### 35 **Chapter 1. Definitions**

36 **Sec. 1. The definitions in this chapter apply throughout this**  
37 **article.**

38 **Sec. 2. "Board" refers to the court reporter board established**  
39 **by IC 25-11.5-2-1.**

40 **Sec. 3. (a) "Court reporting" means the making of a verbatim**  
41 **record by means of:**

- 42 **(1) manual shorthand;**

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1 (2) machine shorthand;  
 2 (3) closed microphone voice dictation silencer; or  
 3 (4) electronic recording of any testimony given under oath;  
 4 where a verbatim record is required. The taking of a deposition is  
 5 the making of a verbatim record.

6 (b) "Court reporting" does not include the following:

7 (1) Tape recordings made by attorneys or the use of video  
 8 equipment and recordings by attorneys representing parties  
 9 in any court proceeding, administrative law proceeding,  
 10 deposition, or any other proceeding.

11 (2) Use of tape recorders, video equipment, and recordings  
 12 by:

13 (A) judges, court officers, and employees;

14 (B) administrative agency officials; or

15 (C) officials and employees of any board, commission, or  
 16 other governmental body.

17 Sec. 4. "Licensed court reporter" means an individual who is  
 18 licensed under this article.

19 Sec. 5. "Licensing agency" refers to the Indiana professional  
 20 licensing agency.

## 21 Chapter 2. Court Reporter Board

22 Sec. 1. The court reporter board is established.

23 Sec. 2. The board consists of seven (7) members appointed by  
 24 the governor as follows:

25 (1) One (1) circuit or superior court judge.

26 (2) Two (2) attorneys licensed to practice in Indiana.

27 (3) Two (2) freelance court reporters who practice machine  
 28 shorthand.

29 (4) One (1) court reporter employed by the state who  
 30 practices any method of court reporting.

31 (5) One (1) freelance court reporter who practices:

32 (A) electronic court reporting;

33 (B) closed microphone voice dictation silencer reporting;  
 34 or

35 (C) manual shorthand reporting.

36 Sec. 3. The members are appointed for a term of four (4) years  
 37 and shall serve until a successor is appointed. A member may not  
 38 serve more than two (2) consecutive terms.

39 Sec. 4. At the first meeting of the board, and annually  
 40 thereafter, the board shall elect a chairperson, vice chairperson,  
 41 and secretary. A member may not be elected to serve more than  
 42 two (2) consecutive terms in the same office.

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1       Sec. 5. A quorum of the board consists of a majority of the  
2 appointed members.

3       Sec. 6. The board shall adopt and use an official seal.

4       Sec. 7. Each member of the board who is not a state employee  
5 is entitled to the minimum salary per diem provided by  
6 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
7 for traveling expenses and other expenses actually incurred in  
8 connection with the member's duties, as provided in the state  
9 policies and procedures established by the Indiana department of  
10 administration and approved by the budget agency.

11       Sec. 8. (a) The board has the following duties:

12           (1) Establish and maintain requirements for the ethical  
13 behavior of court reporters, including requirements  
14 concerning:

15               (A) conflict of interest;

16               (B) inappropriate relationships with a party or a party's  
17 attorney; and

18               (C) failure to honor a contract or commitment to furnish  
19 transcripts.

20           (2) Establish procedures for the investigation of complaints  
21 against licensed court reporters.

22           (3) Maintain a current registry of licensed court reporters.

23           (4) Adopt continuing education requirements to be  
24 implemented no later than January 2, 2012.

25           (5) Determine the qualifications for licensure as a licensed  
26 court reporter.

27       (b) The board shall consider complaints concerning licensed  
28 court reporters.

29       Sec. 9. The board may enter into reciprocal agreements with  
30 any state or other entity that licenses, certifies, or registers court  
31 reporters, including the National Court Reporters Association, the  
32 National Verbatim Reporters Association, or the American  
33 Association of Electronic Reporters and Transcribers if the board  
34 finds that the state, agency, or other entity has substantially the  
35 same or more stringent requirements.

### 36       Chapter 3. Licensed Court Reporters

37       Sec. 1. (a) After June 30, 2011, a person may not practice or  
38 attempt to practice court reporting unless the person is a licensed  
39 court reporter.

40       (b) This article may not be construed to require a court reporter  
41 at any:

42           (1) court proceeding;

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(2) administrative proceeding;

(3) deposition; or

(4) other proceeding.

(c) A person who knowingly engages in the practice of court reporting without being licensed under this article commits a Class B misdemeanor.

Sec. 2. The board shall issue a license to an individual who submits proof of passage of the:

(1) National Court Reporters Association registered professional reporter examination;

(2) National Verbatim Reporters Association certified verbatim reporter examination; or

(3) American Association of Electronic Reporters and Transcribers certified electronic court reporter examination.

Sec. 3. (a) Notwithstanding section 1 of this chapter, any person who was engaged in court reporting for at least two (2) years on July 1, 2010, may apply for licensure if the individual is proficient in court reporting. The individual must provide:

(1) an affidavit of past education; and

(2) payment of the certification fee;

and provide an affidavit from a judge for whom the court reporter has worked as an official court reported or affidavits from three (3) attorneys licensed in Indiana certifying that the individual is proficient as a court reporter.

(b) Notwithstanding section 1 of this chapter, any member in good standing of the Indiana Shorthand Reporters Association who is certified as a certified shorthand reporter on July 1, 2010, may apply for licensure and shall be licensed by the board.

(c) To be licensed under this section, a court reporter must apply to the board by January 1, 2011.

Sec. 4. (a) A license issued under this chapter expires after four (4) years, on a date established by the licensing agency. Failure to renew a license on or before the expiration date makes the license invalid without any action by the board.

(b) The board shall adopt rules under IC 4-22-2 to set fees under IC 25-1-8-2.

(c) To be eligible for the renewal of a license, an individual must meet the continuing education requirement set by the board.

SECTION 9. [EFFECTIVE JULY 1, 2010] (a) As used in this SECTION, "board" refers to the court reporter board established by IC 25-11.5-2-1, as added by this act.

(b) Notwithstanding IC 25-11.5-2-3, as added by this act, the

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- 1 governor shall appoint the initial members of the board before
- 2 September 1, 2010, for terms expiring as follows:
- 3 (1) Three (3) members for a term expiring June 30, 2014.
- 4 (2) Two (2) members for a term expiring June 30, 2013.
- 5 (3) Two (2) members appointed for a term expiring August
- 6 31, 2012.
- 7 (c) This SECTION expires July 1, 2014.

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